



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

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**VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY
ENFORCEMENT ACTION – AMENDMENT TO ORDER BY
CONSENT
ISSUED TO
Mr. Gurcharan Lail
FOR
One Stop Trailer Park
VPDES Permit No. VA0074934**

SECTION A: Purpose

This is an Amendment of an Order by Consent (Amendment) issued under the authority of Va. Code §§ 62.1-44.15, between the Virginia Department of Environmental Quality (Department) and Mr. Gurcharan Lail (Mr. Lail), regarding the One Stop Trailer Park (Plant), for the purpose of revising certain provisions of the Order by Consent (Order) issued to Gurcharan Lail on June 11, 2020, and for resolving certain violations of the State Water Control Law, Virginia Pollutant Discharge Elimination System (VPDES) Permit No. VA0074934 (Permit), and the applicable regulations.

SECTION B: Basis for Amendment

1. The Department entered into the Order with Mr. Lail effective June 11, 2020, for discharging treated sewage from One Stop Trailer Park to Clarks Run (state waters), while concurrently failing to comply with the conditions of the Permit.
2. A corrective action plan and schedule was agreed to as part of the Order, requiring Mr. Lail to install and commission a new sewage treatment system at One Stop Trailer Park by December 18, 2022.

3. In submitting Discharge Monitoring Reports (DMRs) for the Plant's Outfall 001 as required by the Permit, Mr. Lail reported the following non-compliance with effluent limits listed in Part I.A.1 of the Permit:
 - a. On the December 2020 DMR, a dissolved oxygen concentration of 4.27 milligrams per liter (mg/L) was reported, compared to permitted minimum limit of 5.0 mg/L.
 - b. On the November 2021 DMR, a chlorine concentration of 0.59 mg/L was reported, compared to a permitted minimum limit of 0.6 mg/L.
4. The November 2021 DMR was received by DEQ on December 16, 2021, after the due date of December 10, 2021.
5. Part II.C.1 of the Permit requires Mr. Lail to "submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place."
6. Va. Code § 62.1-44.5 states that: "[E]xcept in compliance with a certificate issued by the Department, it shall be unlawful for any person to discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances."
7. The Regulation, at 9VAC 25-31-50, also states that except in compliance with a VPDES permit, or another permit issued by the Department, it is unlawful to discharge into state waters sewage, industrial wastes or other wastes.
8. Va. Code § 62.1-44.15(5a) states that a VPDES permit is a "certificate" under the statute.
9. The Department has issued no permits or certificates to Mr. Lail for One Stop Trailer Park other than VPDES Permit No. VA0074934.
10. Clarks Run, which receives effluent discharge from the One Stop Trailer Park is a surface water located wholly within the Commonwealth and is a "state water" under State Water Control Law.
11. Representatives of Mr. Lail notified DEQ in December 2021 of delays in corrective action project implementation agreed to under the Order. It was stated that the delays were related to the Loudoun County building permit process and problems with electrical service. On June 23, 2022, DEQ received a request to modify the corrective action schedule under the Order, including the allowance of an extension of the deadline to complete the work.
12. Based on DMR submissions received for the Plant, and related correspondence between DEQ and representatives of Mr. Lail, the Department concludes that Mr. Lail has violated 9VAC25-31-50 and Parts I.A.1 and II.C.1 of the Permit, by

discharging effluent from the Facility while concurrently failing to comply with the conditions of the Permit.

13. On July 18, 2022, a Certificate to Construct (CTC) application was submitted to DEQ regarding the corrective action project to install and commission a new sewage treatment system at the One Stop Trailer Park
14. In order for Mr. Lail to return to compliance, DEQ staff and Mr. Lail have agreed to a revised Schedule of Compliance, which is incorporated as Appendix A of this Amendment.

SECTION C: Agreement and Order

Accordingly, by virtue of the authority granted it in Va. Code §§ 62.1-44.15, the Department orders Mr. Lail, and Mr. Lail agrees to perform the actions described in Appendix A of this Amendment, which alters the completion schedule for corrective actions agreed to in Appendix A of the Order. Both the Department and Mr. Lail understand and agree that this Amendment does not alter, modify or amend any other provision of the Order and that the unmodified provisions of the Order remain in effect by their own terms.

And it is so ORDERED this 9th day of December, 2022.



Thomas A. Faha, Regional Director
Department of Environmental Quality


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Amendment to Consent Order

Gurcharan Lail; One Stop Trailer Park, VPDES Permit No. VA0074934

Page 4 of 8⁵
(JAD)

Mr. Gurcharan Lail voluntarily agrees to the issuance of this Order.

Date: 10/12/22 By: 
Mr. Gurcharan Lail

(3AB)

APPENDIX A SCHEDULE OF COMPLIANCE

Mr. Gurcharan Lail shall:

1. By January 15, 2023 and July 15, 2023, submit written updates to DEQ enforcement staff to report progress of the corrective action project to install and commission a new sewage treatment system at the One Stop Trailer Park, and to notify DEQ of any changes to the project plan and schedule.
2. By January 15, 2024, complete the corrective action project to install and commission a new sewage treatment system at the One Stop Trailer Park as agreed to under the Order and per the update email submitted to DEQ on June 23, 2022, and submit documentation of the completed project and a Certificate to Operate (CTO) the new treatment system to DEQ.
3. Unless otherwise specified in this Order, Mr. Lail shall submit all requirements of Appendix A of this Order to:

Virginia Department of Environmental Quality
Northern Regional Office
Attention: Enforcement
13901 Crown Court
Woodbridge, VA 22193